

State of South Dakota

SEVENTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2004

385J0834

HOUSE CONCURRENT RESOLUTION NO. 1021

Introduced by: Representatives Bradford, Bartling, Burg, Elliott, Engels, Garnos, Gassman, Gillespie, Glenski, Hackl, Hanson, Hargens, Hundstad, Kroger, Lange, Miles, Nesselhuf, Olson (Mel), Peterson (Jim), Sigdestad, Thompson, Valandra, and Van Norman and Senators Nachtigal, Dennert, Duxbury, Kleven, Kloucek, Kooistra, Moore, Reedy, Sutton (Dan), and Symens

1 A CONCURRENT RESOLUTION, Urging the Governor to ensure the availability of state
2 funds to provide for motor fuel tax refunds to members of the Oglala Sioux Tribe.

3 WHEREAS, pursuant to the ruling in Pourier vs. the State of South Dakota, there has been
4 a legal determination that a considerable sum of money was illegally collected from Lakota
5 people on the Pine Ridge Reservation; and

6 WHEREAS, the reimbursement mechanism provided by the Supreme Court is unlikely to
7 provide for the equitable reimbursement of the revenue to the rightful owners; and

8 WHEREAS, it is not yet clear what combination of judicial, executive, and legislative
9 actions will be necessary to provide for a just and equitable settlement:

10 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-
11 ninth Legislature of the State of South Dakota, the Senate concurring therein, that Governor
12 Rounds be urged to sequester four million dollars, or so much thereof as may be necessary, to
13 ensure the prompt refund of motor fuel taxes to the Lakota people or their tribal government
14 immediately upon a resolution of the differences of the parties over repayment of the motor fuel



1 revenues.